IMT Nuremberg Archives

H – 1064

International Court of Justice

Com B - Albert Hoffmann
Take 4, page 1
Biolsi
1520 to 1535
2 July 1946

H1064-0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

2 July 1946

COMMISSIONER:

COLONEL A. M. S. NEAVE

Corps of
THE POLITICAL LEADERSHIP

(Commission convened at 1520 hours.)

ALBERT HOFFMANN, the witness, took the stand and testified as follows:

BY COLONEL NEAVE:

Raise your right hand and repeat this oath after me: I swear by God, the Almight and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

COLONEL NEAVE:

You may sit down.

DIRECT EXAMINATION

BY DR LINK (for Political Leaders):

THE COMMISSIONER (To the Witness) (interrupting)..

What is that you have there?

DR LINK

The questions.

THE COMMISSIONER:

Who made them?

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DR LINK:

I made up the questions and I have written them on the typewriter so that during the hearing....

THE COMMISSIONER:

Are they the questions you are going to ask him?

DR LINK:

Yes, sir.

THE COMMISSIONER:

He can only refer to notes to refresh his memory, but not to read them.

DR LINK:

Yes, I quite understand. That is not what I wanted either.

THE COMMISSIONER:

You have the answers as well as the questions.

COL GRIFFITH-JONES:

I might look - I would like to see these notes.

THE COMMISSIONER:

I am not satisfied with this; I would like to see them.

And the paper is passed from one to the other.

THE COMMISSIONER:

The document refers to a series of questions which I presume are to be put by defense counsel, and ~~that~~ a number of notes in pencil, which are admittedly quite brief, which would appear to be notes for answers.

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DR LINK:

I want to say they are not notes of mine. They are only questions which refer to the questions in the documents of February 25th. They are not questions I shall ask. I want the prosecution to see them.

THE COMMISSIONER:

Yes, let the prosecution have a copy of them.

Col Griffith-Jones takes a copy for himself.

COLGRIFFITH-JONES:

I would like to have them translated.

THE COMMISSIONER:

I believe the answers are stated in brief form. I have no objection to that. I don't think there is any objections to the pencil notes, ~~but~~ I think as a matter of fact ~~I think~~ the witness should be allowed to have the pencil notes.

DR LINK:

I myself have made up the questionnaire which is based on the questions suggested to me by the witness, but ~~they~~ I have spoken to the witness about it. I have made certain changes in my questionnarie. Consequently, I have not got an exact and true copy of this questionnaire.

THE COMMISSIONER:

I think you should make the document available to the prosecution. Is that satisfactory to you? The witness may be allowed to have them. They are not very extensive notes.

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DR LINK:

I assume that the witness will get along even without these notes.

The witness for several years was a deputy of the Fuehrer. Later on he became Gauleiter in two different Gaus, in upper Silesia and in Westphalia South.

In connection with that I refer you to pages 42 and 43 of the German Record of the Tribunal session of 20 December 1945 p.m. I wanted to prove by the witness Hoffman that he has not issued that directive, and besides that, that it is not as the prosecution assumes, a result of the Bormann order, but that Hoffmann as Gauleiter and Kriesleiter Defense Commissioner has consciously taken an opposing attitude emanating from the highest Party leadership offices. In order to gain time and in order to hear one more Gauleiter I also should like to put some questions to the witness in regard to the charges pertaining to the Corps of Political Leaders. In order to show that in the Gaus which the witness lead no crimes in the sense of the statute were committed by the political leiter in his Gau.

THE COMMISSIONER:

I think, Dr. Link, we should recess now before you begin your examination.

Recess for ten minutes.

* * *

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2 July 1946
Noll
Albert Hoffman

1530 hours

Q. You were born on the 24th of October 1907 in Bremen. That is, you are thirty-nine?

A. Yes.

Q. You are by profession a businessman, and you joined the NSDAP as early as 1926?

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A. Yes.

Q. Will you please give us briefly the reasons for your joining the Party so early?

A. In 1918 Germany had lost the war. The post-war situation, the inflation and deflation--all this brought about a disquiet in the German population. We were disgusted with the party struggle. We searched for a new road. That is how I came to the National Socialist movement.

Q. If memory serves me right, for several years--from September 1934 to March 1938, or maybe even longer--you were a referent on the staff of the deputy of the Fuehrer.

A. I was referent on the staff of the Deputy of the Fuehrer until 1940.

Q. You participated in the Polish Campaign in 1939?

A. Yes.

Q. During the years 1941-1943 you were Deputy of the Gauleiter in Upper Silesia. From February 1943 until the collapse, you were Gauleiter and Reichs Defense Commissar in the Gau Westphalia Sud. I must add that, in 1943, I became Reichs Defense Commissar; but I first became Deputy Gauleiter. In approximately June 1943 I received the title of Gauleiter. The final transfer of the leadership to me was in the Spring of 1944, at the time of the death of Gauleiter Wagner in Munich.

Q. As you were told in the first place, I want to hear you in connection with a decree against parachuting pilots which you are said to have issued on

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25 February 1945. Will you ~~xxxx~~ please first delineate briefly the situation within your gau around the years 1944-1945, taking into special consideration your duties as Gauleiter.

A. The Gau Westphalia Sud, which I led, was one of the industrial centers of the German Reich. In the Spring of 1943 the heavy bombinb attacks started. Not only military targets were hit, but residential areas were also hit during the raids on industrial targets. From that situation I made my first great tasks. My entire activities as gauleiter and Reichs Defense Commissar, in practice, consisted of reducing the need, and, in some way or another, mastering the air war. From attack to attack the number of shelterless people increased. We ~~had~~ had to procure shelter. We had to secure rations and supplies. We were faced with the big task of evacuation. The population of Westphalia South was evacuated by me to Pomerania, the Eastern Sudeten, and Baden Alsace. This, again, produced many difficulties and new duties when the Allied troops approached the Reich territory in the East and West. Particularly toward the end of 1944 and ~~x~~ the year 1945, my evacuees in the East, ~~x~~Sudetenland, and Pomerania, were threatened. I was ~~x~~ faced with the task, despite the evacuation of other Eastern territories, ~~to take~~ of taking my evacuees out of the endangered areas by convoy. It came to the point where the Reichsfuehrer SS, Himmler, who was at that time in charge of the Weichsel Front, prohibited me from ~~xxx~~ evacuating people from Pomerania. Nevertheless, I had to protect my women and children from the Russians. These cares burdened me night and day because the parents of the children, who had remained at home, were ~~xxxxx~~ worried about their children. It was during that period that shooting at the civilian population by bombers increased considerably. Many civilian targets were under attack by the bombers -- ~~P~~peasants in the field and workers going to their place of work, militarily insignificant localities, and that ~~x~~ sort of thing. During this period, my ~~gx~~ Gaustabsamtsleiter Stueve, like all of us, was shot at by a bomber, and he escaped by a hair's breadth with his

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life. He submitted to me during that time an outline of a directive which is the one discussed here.

Q. I shall come back to that. Will you please tell us what basic attitude you took in regard to the treatment of members of the Allied airforces who had to perform emergency landings.

A. I was a soldier, and I always looked upon them as soldiers. That is true of my staff office, too. I have always been opposed to a non-military treatment of soldiers. I paid attention to the population of my gau retaining its discipline during these hard times. I, myself, during the heavy air attacks when things became serious, talked over the wireless as well as over telephone broadcasts. If I had taken the point of view with which I am charged today, I would have had, several times daily, the opportunity to incite the population against shot-down aviators. My principles regarding the discipline of the population, and my principles as a soldier, kept me from doing so.

Q. Are you acquainted with the directive of the Reichsfuehrer SS, dated 10 August 1945, in which it says that it is not the duty of the police to mix into affairs between German co-nationals and parachuted English and American aviators?

COLONEL NEAVE: Has this document been in before, or has he got another one?

COLONEL GRIFFITH-JONES: R 1120, US 333.

A. I know the contents of this directive, but I am not acquainted with the accompanying letter signed by BRAND. I received this directive in my capacity as Reichs Defense Commissar.

BY DR. LINK:

Q. In your capacity as Reichs Defense Commissar, you had to transfer these instructions as was prescribed in this letter?

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A. You know my basic view.

Q. Do you want to say that you did not transfer this directive?

A. I did not transfer this directive.

Q. And you say that it has nothing to do with the Party sector as such, because you received it in your capacity as Reichs Defense Commissar?

A. This is definitely an executive directive, and has nothing to do with the Party.

Q. Then I shall submit to you another directive which emanates from the Party sector. It is a directive of the leiters of the Party Chancellery, dated 30 May 1944. It also was introduced by the Prosecution as a document.

COLONEL GRIFFITH-JONES: What date?

DR. LINK: 30 May 1944. PS 057.

By DR. LINK:

Q. (Cont.) Do you know this circular?

A. Yes, I am acquainted with it.

Q. I want to call your attention to the fact that the key of distribution also mentions the kreisleiter, and that the accompanying note asks that the kreisleiter are to inform the ortsgruppenleiters only orally of the contents of the circular. What do you say to that?

A. This directive does not have anything about ortsgruppenleiter.

Q. It is the accompanying letter that is an order in which Friedrichs from the Party Chancellery, the leiter of the Party Chancellery, asks you to inform the ortsgruppenleiter only orally.

A. I can say the following of this. In May and June, it was the theme, "People's Justice against Anglo-American Aviators." I did not transfer this directive.

Q. Why not?

A. On the basis of my essential attitude, which I have described before.

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COLONEL NEAVE: What does he mean when he says "transfer"?

INTERPRETER: He didn't circulate it to lower levels.

BY DR. LINK:

Q. So you consciously acted against the orders of the Party Chancellery to see to it that the kreisleiter and ortsgruppenleiter also were informed of it?

A. It was my peculiarity not to circulate orders which I did not approve of in the way in which I received them, or not to circulate them at all.

Q. Do you recall an article of the Reichs Minister for Propaganda, Goebbels, which appeared about the same time--toward the end of May? It was published in the "Volkischer Beobachter" on 29 May 1944. This issue of the "Volkischer Beobachter" was submitted by the Prosecution as 1676 PS. The article reaches its climax in the final sentence: "We do not think it bearable to use German police and soldiers against the German population when they treat murderers of children as they deserve." Do you recall it?

A. If it is the same article which was broadcast, I do recall it. I want to say the following concerning it. At the time when this theme was a topical one, Reichs Marshal Goering was visiting in my garden. At that time I discussed that theme with the former Reichs Marshal and informed him of my views regarding the disputed question. Former Reichs Marshal Goering's views coincided with mine--that the tactics used were wrong. He vehemently voiced his opposition to such views. He furthermore emphasized that upon those questions that he needed the aviators to be put into a camp. I believe this camp was in Oberhausen. He explained to me in detail the importance of the statements made by pilots; and he said that, according to reason and sense, we should act differently. It would have been simpler for me at the time, as I said before, to broadcast over the telephone; and my point of view was not appreciated by a large part of the population.

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COLONEL GRIFFITH-JONES: You say you did speak?

WITNESS: I spoke every day over the wireless concerning the air situation.

COLONEL GRIFFITH-JONES: You did not make clear the last sentence. You said it would have been easier for you. What would have been easier for you?

WITNESS: I want to express that it would have been easy for me to incite the population by way of my wireless broadcasts, but I was afraid that we would not be able to get rid of the ghosts which I might have conjured. This would not have been approved of by the population.

BY DR. LINK:

Q. How do you know that?

A. Because I received a large amount of correspondence from the population.

Q. We now come to your own so-called directive dated 25 February 1944. Document 154, USA 325. I have a photostat here, and I will show the witness a copy.

WITNESS: May I see the photostat?

BY DR. LINK:

Q. Will you please first look at the form of the document. It looks as if it had come over teletype or some other long-distance communication medium. It also contains an accompanying letter--a letter from Lippstadt. The contents of this letter have nothing to do with this whole affair. It is only interesting because it is signed by a certain Buchamueller and because the long-distance spoken message shows a handwritten note by Buchamueller. There seems to be a connection here--that someone who received this message had transferred it to Buchamueller. Is it correct, what I have said about the exterior form?

A. It is quite clear that this was received by a conference switchboard.

COLONEL GRIFFITH-JONES: Of what letter are you speaking?

DR. LINK: Of the document itself.

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COLONEL GRIFFITH-JONES: The document dated 25 February?

DR. LINK: Yes.

By DR. LINK:

Q. So it is not a document which you wrote with your own hand, but it is something put down by someone who sat in Lippstadt at the conference switchboard.

COLONEL NEAVE: I didn't quite understand that last question. Will you please repeat it?

DR. LINK: So it is not a directive which was issued by yourself, either in your own handwriting or with your signature--but with a slip which was written down by a certain Schmitt, seemingly in Lippstadt, of what he has heard over the conference switchboard.

COLONEL NEAVE: What is a conference switchboard?

DR. LINK: Perhaps the witness can explain how this works.

WITNESS: My command post was onthe Harkort Mountain. I was connected with the different kreisleiters,among them with Lippstadt, by telephone.

COLONEL NEAVE: I see.

BY DR. LINK:

Q. You know what this telephonic report contains, and it contradicts very sharply that which you have stated your attitude to be. Tell us how this telephonic report originated.

A. It happened as follows: Toward the end of February--it may have been the 25th--my gau staff office chief submitted to me in the evening the outline of a directive. His name was Stueve, as I mentioned before. It was around twelve o'clock. It was before the arrival of enemy planes. Stueve was exceedingly excited, primarily because of the attack he himself had suffered; and the contents of the outline which he submitted to me contained to a larger extent than is

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written here, an extensive directive to Party and State offices. We then discussed this subject at length. Up to this time, he had always agreed with my point of view. Finally, after all the objections which I brought forth again and again, he took the directive and cut it. I eliminated everything which ~~xxxxxx~~ concerned the Party. The rest, just shown to you, was left. I initialled the outline at that time, and later on a clean copy was submitted to me. In the meantime, an air attack had taken place. I did not sign the clean copy.

Q. Why not?

A. Because when I saw it in clear text, certain scruples arose in me. I gave a direct order to my staff office chief, and he did not tell me about anything which had been issued. My scruples were the old ones which returned after I had slipped on this, and then this directive contained an order to the police. In my capacity as Reichs Defense Commissar, the police were not subordinate to me, and I thought that maybe a new feeling of tension might come about with the SS and the polizei -- quite aside from the fact that I had to be afraid that the attached organs, to which this was to go, would tell me that I did not have the right to give them orders in this sphere.

Q. I just noticed that you spoke of a renewed tension with the SS and polizei fuehrers. Did you not have a good relationship with them?

A. This is not relevant, and I do not want to wash my dirty linen here.

Q. Tell me, did these arguments perhaps pertain to the fact that, as a gauleiter, you were forced to take an opposing position to the measures of the SS?

A. Perhaps more in my capacity as Reichs Defense Commissar. The higher SS and police ~~xxxxx~~ fuehrers had a desire to ~~xxix~~ extend their authority, and there were basic differences of opinion regarding the leadership of the police in general. For instance, to the question of ~~xxxxxx~~ whether the police were not part of the interior administration.

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Q. Will you look at the a distribution key. You said that you took xxx the outline submitted to you by Stueve which was for the Party sector, transformed it into something pertaining to the Reichs Defense Commission. The distribution key says that the kreisleiters had to be informed. Isn't that in contradiction to your statements up to now?

A. May I call your attention to a mistake in translation. It says xx (Point One) "to all over-Burgermeisters and xxxxxx polizei." Itxx is not xxxxxxx a matter of translation, but an error in reception. It should read "police administration." To the question of the attorney: The directive xx shows, without any doubt, that this was xxxxxxxxx circulated among the kreisleiters for information only. That xx was an ever-repeated procedure with us. The Party officers were informed of Reichs laws as far as they were of interest to the Party, and also decrees of this kind. May I point here to the third point of the distribution key. It concerns the kreis staff leiter of the German Volksturme. My gau xxxxxx differed from other gaus. In my gau the Volksturme merely substituted for the former urban and rural guard.

COLONEL NEAVE: Do we want to go into the Volksturme here?

DR. LINK: No.

COLONEL NEAVE: He is talking about the distribution, isn't he?

DR. LINK: He wants to explain why the kreis staff leiter of the Volksturme are mentioned in this distribution. He wants to say that the Volksturme was an organ of the police, and that is why this directive also went to the kreis staff leiters.

COLONEL NEAVE: I don't think this has anything to do with xx your case.

BY DR. LINK:

Q. If, as you stated, you wanted to x issue the directive in your capacity as Reichs Defense Commissar, you did not have for your xxxxxxxxx advisor Mr.

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Stueve, but rather a Reichs Defense Referent. Now I understand that Stueve submitted something to you which he wished to issue for the Party sector--something which, however, you rejected. I cannot understand why the Reichs Defense Referent was not charged with this matter, or, rather, why he did not get in touch with you.

A. I do not understand, either, because an initialed outline, before it was issued, had to be submitted again to the Reichs Defense Commissar by the Reichs Defense Referent.

COLONEL NEAVE: Dr. Link, I don't understand the relevance of all this. Is it relevant whether this matter was referred to Stueve or not? What we are supposed to be hearing is whether or not this gauleiter issued this order, which is contained in the document, and whether the distribution of this order can be said to lie with the highest political leader in the district.

DR. LINK: Yes, sir; but it seems that this directive has come to the attention of one or several offices, by way of circumstances which have not yet been cleared up, against the will of this witness. It is, for the Defense of the organization of Political Leiters, of decisive importance whether this might be of any influence for the Party sector for the Political Leiters or whether it only went through the channels of the Reichs Defense Commissar. Then this makes no difference to me because it is not the State which is accused, but the Political Leiters--but I am finished with it now.

COLONEL NEAVE: I think it is an important subject, but I think it has been covered in every possible ~~media~~ detail.

BY DR. LINK:

Q. You have not satisfied me yet; there is something else I want to know. When the clear copy was referred to you, you refused to sign it. A few hours later you spoke to Stueve and told him it was not to be issued. The

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competent Reichs Defense Referent did not contact you. How is it possible that this thing was issued over the conference switchboard to any other office?

A. Only after my internment, ~~dixxixx~~ was I informed that this directive went out. I had no way in which to find out in what peculiar way this thing went out. In the first place, I did not sign the clear copy. In the second place, I told Stueve it was not to go out, and there was no contradiction. In the third place, my Reichs Defense Referent did not discuss ~~in~~ it with me. He certainly would have done so if the directive had been submitted to him. The only possibility is something which I cannot check at this time--that in one way or another the telephone message went through.

Q. You said before that an attack again intervened. Did I understand you correctly?

A. Yes. I want to say this in connection withit. Before the planes reached their target the entire apparatus starts to move, and then there is always time to make use of the conference switchboard. It is possible that, when other directives were given over the 'phone, ~~di~~ this directive, too, was spoken over the 'phone.

Q. But you have no real reason to believe so?

A. No.

Q. I am leaving these questions; I want to ask some other questions. To this problem, three or four more questions...

COLONEL NEAVE: I thought you were passing to another point.

DR. LINK: I expressed myself badly. I meant this point: what possible happens~~tance~~ insofar, as to the breakdown of machinery, is concerned. ~~Exxxx the fact that xxxx

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Q. The fact that this outline of the directive seemed to have gone out over the conference switchboard means that all the addressees mentioned on the distribution key received that message?

A. At that time the conference switchboard functioned very badly because the bomb attacks had disturbed the telephone lines. Consequently it could only have been a matter of preliminary orientation. That would have had to be a written confirmation. In any case, it was such that the conference switchboard did not lead to the municipal organs, landrat, lord mayor, and police administration---but, as I said before, the kreis command posts. The non-functioning of the conference switchboard soon could have supplied such information to only a part of the kreis area. The internee who represented the German Defense in Paderborn told me that quite a few of the kreisleiters from my former gau were interned there.

COLONEL NEAVE: I don't think he ought to say what another internee told him.

DR. LINK: It is, unfortunately, like this: There is said to have been an affidavit taken and sworn to in Staumuehle regarding the kreisleiters from the Gau Westphalia Sud who were interned there--that these kreisleiters which constituted half of the entire kreisleiters of the gau area did not receive this directive either by way of the conference switchboard or in any other way. This affidavit was sent to me several months ago, but up to date I have not received it. I explained that to the witness when he asked regarding this affidavit, and he explained to me that Dr. Sievers, who represents me and told me to send him...

COLONEL GRIFFITH-JONES: The result of all that is that we have a great, long statement of evidence in the transcription that should not be there.

COLONEL NEAVE: What has happened now is that the witness has told a long story of what he was told in this internment camp. Isn't that what the position is?

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DR. LINK: It is I who have been telling a long story.

COLONEL GRIFFITH-JONES: And the witness has sat silent for five minutes. I would ask that the whole of Dr. Link's statement be struck out.

COLONEL NEAVE: I think so too. Dr. Link, I don't see how you can possibly think that the witness can possibly answer questions regarding what he has heard in that internment camp. You say that there were certain persons in that camp who were going to give evidence. If that is the position, you should apply to me and see if something can be done to get those affidavits. But I don't think that either you or the witness should tell the court what those affidavits are going to say. As we are having a meeting in a few minutes, we will discuss the manner in which those affidavits can be obtained, and we will consider whether it isn't proper, as Colonel Griffith-Jones suggests, that what you have said shouldn't be stuck out of the record. I think that tomorrow morning you should pass on to a new point, because, in my opinion, the whole of this witness's personal responsibility, as gauleiter, for distribution or not, has been completely covered in the very greatest details.

DR. LINK: I should like to put two more questions in concerning this question.

COLONEL NEAVE: In view of the fact that it is now five o'clock, we must adjourn now. You do understand, don't you, Dr. Link, my point that the contents of the affidavits must not be discussed here--and certainly not by the witness?

DR. LINK: No; that was not the intention.

(The Commission adjourned at 1705 hours.)

The foregoing is a true and correct transcript of the testimony of

ALBERT HOFFMAN, taken 2 July 1946.

DS
Reporter

DJ. Noll
Reporter

CERTIFIED TO:

Commissioner

H1064-0020

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNALDATED 13 MARCH 1946.

2 July 1946.

COMMISSIONER:

Colonel A.M.S. Neave

THE CORPS OF POLITICAL LEADERS

(THE COMMISSION CONVENED AT 1520 HOURS)

ALBERT HOFFMANN, the witness, took the stand and testified as follows:

BY COLONEL NEAVE:

Raise your right hand and repeat this oath after me: I swear by God the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath).

COLONEL NEAVE:

You may sit down.

DIRECT EXAMINATION

BY DR. LINK (for Political Leaders):

THE COMMISSIONER TO THE WITNESS (interrupting)...

What is that you have there?

DR. LINK:

The questions.

THE COMMISSIONER:

Who made them?

DR. LINK:

I made up the questions and I have written them on the typewriter so that during the hearing .....

THE COMMISSIONER:

Are they the questions you are going to ask him?

DR. LINK:

Yes, sir.

THE COMMISSIONER:

He can only refer to notes to refresh his memory, but not to read them.

DR. LINK:

Yes, I quite understand. That is not what I wanted either.

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THE COMMISSIONER:

You have the answers as well as the questions.

COL. GRIFFITH-JONES:

I might look -- I would like to see these notes.

THE COMMISSIONER:

I am not satisfied with this; I would like to see them.

And the paper is passed from one to the other.

THE COMMISSIONER:

The document refers to a series of questions which I presume are to be put by defense counsel, and a number of notes in pencil, which are admittedly quite brief, which wouldappear to be notes for answers.

DR. LINK:

I want to say they are not notes of mine. They are only questions which refer to the questions in the documents of February 25th. They are not questions I shall ask. I want the prosecution to see them.

THE COMMISSIONER:

Yes, let the prosecution have a copy of them.

Col. Griffith-Jones takes a copy for himself.

COL. GRIFFITH-JONES:

I would like to have them translated.

THE COMMISSIONER:

I believe the answers are stated in brief form. I have no objection to that. I don't think there is any objections to the pencil notes. I think as a matter of fact the witness should be allowed to have the pencil notes.

DR. LINK:

I myself have made up the questionnaire which is based on the questions suggested to me by the witness, but I have spoken to the witness about it. I have made certain changes in my questionnaire. Consequently, I have not got an exact and true copy of this questionnaire.

THE COMMISSIONER:

I think you should make the document available to the prosecution. Is that satisfactory to you? The witness may be allowed to have them. They are not very extensive notes.

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DR. LINK:

I assume that the witness will get along even without these notes.

The witness for several years was a deputy of the Fuehrer. Later on he became Gauleiter in two different Gaus, in upper Silesia and in Westphalia South.

In connection with that I refer you to page 42 and 43 of the German Record of the Tribunal session of 20 December 1945 p.m. I wanted to prove by the witness Hoffmann that he has not issued that directive, and besides that, that it is not as the prosecution assumes, a result of the Bormann order, but that Hoffmann as Gauleiter and Kreisleiter Defense Commissioner has consciously taken an opposing attitude emanating from the highest Party leadership offices. In order to gain time and in order to hear one more Gauleiter I also should like to put some questions to the witness in regard to the charges pertaining to the Corps of Political Leaders. In order to show that in the Gaus which the witne lead no crimes in the sense of the statute were committed by the political leiter in his Gau.

THE COMMISSIONER:

I think, Dr. Link, we should recess now before you begin your examination.

(Recess for ten minutes)

Q You were born on the 24th of October 1907 in Bremen. That is, you are thiryt-nine?

A Yes.

Q You are by profession a businessman, and you joined the NSDAP as early as 1926?

A Yes.

Q Will you please give us briefly the reasons for your joining the Party so early?

A In 1918 Germany had lost the war. The post-war situation, the inflation and deflation -- all this brought about a disquiet in the German population. We were disgusted with the party struggle. We searched for a new road. That is how I came to the National Socialist movement.

Q If memory serves me right, for several years -- from September 1934 to March 1938, or maybe even longer -- you were a referent on the staff of the deputy of the Fuehrer.

A I was referent on the staff of the Deputy of the Fuehrer until 1940.

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Q You participated in the Polish Campaign in 1939?

A Yes.

Q During the years 1941-1943 you were Deputy of the Gauleiter in Upper Silesia. From February 1943 until the collapse you were Gauleiter and Reichs Defense Commissar in the Gau Westphalia Sud.

A I must add that, in 1943, I became Reichs Defense Commissar; but I first became Deputy Gauleiter. In approximately June 1943 I received the title of Gauleiter. The final transfer of the leadership to me was in the Spring of 1944, at the time of the death of Gauleiter Wagner in Munich.

Q As you were told in the first place, I want to hear you in connection with a decree against parachuting pilots which you are said to have issued on 25 February 1945. Will you please first delineate briefly the situation within your gau around the years 1944-1945, taking into special consideration your duties as Gauleiter?

A The Gau Westphalia Sud, which I led, was one of the industrial centres of the German Reich. In the spring of 1943 the heavy bombing attacks started. Not only military targets were hit, but residential areas were also hit during the raids on industrial targets. From that situation I made my first great tasks. My entire activities as gauleiter and Reichs Defense Commissar, in practice, consisted of reducing the need, and, in some way or another, mastering the air war. From attack to attack the number of shelterless people increased. We had to procure shelter. We had to secure rations and supplies. We were faced with the big task of evacuation. The population of Westphalia South was evacuated by me to Pomerania, the Eastern Sudeten, and Baden Alsace. This, again, produced many difficulties and new duties when the Allied troops approached the Reich territory in the East and West. Particularly toward the end of 1944 and the year 1945, my evacuees in the East Sudetenland and Pomerania were threatened. I was faced with the task, despite the evacuation of other Eastern territories, of taking my evacuees out of the endangered areas by convoy. It came to the point where the Reichsfuehrer SS, Himmler, who was at that time in charge of the Weichsel Front, prohibited me from evacuating peple from Pomerania. Nevertheless, I had to protect my women and children from the Russians. These cares burdened me night and day because of the children, who had remained at home,

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were worried about their children. It was during that period that shooting at the civilian population by bombers increased considerably. Many civilian targets were under attack by the bombers -- peasants inthe field and workers going to their place of work, militarily insignificant localities, and that sort of thing. During this period, my Gaustabsamtsleiter Stueve, like all of us, was shot at by a bomber, and he escaped by a hair's breadth with his

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life. He submitted to me during that time an outline of a directive which is the one discussed here.

Q I shall come back to that. Will you please tell us what basic attitude you took in regard to the treatment of members of the Allied air-forces who had to perform emergency landings?

A I was a soldier, and I always looked upon them as soldiers. That is true of my staff office, too. I have always been opposed to a non-military treatment of soldiers. I paid attention to the population of my gau retaining its discipline during these hard times. I, myself, during the heavy air attacks when things became serious, talked over thewireless as well as over telephone broadcast. If I had taken the point of view with which I am charged today, I would have had, several times daily, the opportunity to incite the population against shot-down aviators. My principles regarding the discipline of the population, and my principles as a soldier, kept me from doing so.

Q Are you acquainted with the directive of the Reichsfuehrer SS, dated 10 August 1945, in which it says that it is not the duty of the police to mix into affairs between German co-nationals and parachuted English and American aviators?

COLONEL NEAVE: Has this document been in before, or has he got another one?

COLONEL GRIFFITH JONES: R 1120, US 333.

A I know the contents of this directive, but I am not acquainted with the accompanying letter signed by Brand. I received this directive in my capacity as Reichs Defense Commissar.

BY DR. LINK:

Q In your capacity as Reichs Defense Commissar, you had to transfer these instructions as was prescribed in this letter?

A You know my basic view.

Q Do you want to say that you did not transfer this directive?

A Idid not transfer this directive.

Q And you say that it has nothing to do with the Party sector as such, because youreceived it in your capacity as Reichs Defense Commissar?

H1064-0026

A This is definitely an executive directive, and has nothing to do with the Party.

Q Then I shall submit to you another directive which emanates from the Party sector. It is a directiv of the leiters, of the Party Chancellery, dated 30 May 1944. It was also introduced by the Prosecution as a document.

COLONEL GRIFFITH JONES: What date?

DR. LINK: 30 May 1944. PS 057.

BY DR. LINK:

Q (Cont'd) Do you know this circular?

A Yes, I am acquainted with it.

Q I want to call your attention to the fact that the key of distribution also mentions the kreisleiter, and that the accompanying note asks that the kreisleiter are to inform the ortsgruppenleiters only orally of the contents of the circular. What do you say to that?

A This directive does not have anything about ortsgruppenleiter.

Q It is the accompanying letter that is an order in which Friedrichs from the Party Chancellery, the leiter of the Party Chancellery, asks you to inform the ortsgruppenleiter only orally.

A I can say the following of this. In May and June, it was the theme, "People's Justice against Anglo-American Aviators". I did not transfer this directive.

Q Why not?

A On the basis of my essential attitude, which I have described before.

COLONEL NEAVE: What does he mean when he says "transfer"?

INTERPRETER: He didn't circulate it to lower levels.

BY DR. LINK:

Q So you consciously acted against the orders of the Party Chancellery to see to it that the kreisleiter and ortsgruppenleiter also were informed of it?

A It was my peculiarity not to circulate orders which I did not approve of in the way in which I received them, or not to circulate them at all.

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Q Do you recall an article of the Reichs Minister for Propaganda, Goebbels, which appeared about the same time -- toward the end of May? It was published in the "Volkischer Beobachter" on 29 May 1944. This issue of the "Volkischer Beobachter" was submitted by the Prosecution as 1676 PS. The article reaches its climax in the final sentence: "We do not think it bearable to use German police and soldiers against the German population when they treat murderers of children as they deserve." Do you recall it?

A If it is the same article which was broadcast, I do recall it. I want to say the following concerning it. At the time when this theme was a topical one, Reichs Marshall Goering was visiting in my garden. At that time I discussed that theme with the former Reichs Marshal and informed him of my views regarding the disputed question. Former Reichs Marshal Goering's views coincided with mine, -- that the tactics used were wrong. He vehemently voiced his opposition to such views. He furthermore emphasized that upon those questions that he needed the aviators to be put into a camp. I believe this camp was Oberhausen. He explained to me in detail the importance of the statements made by pilots; and he said that, according to reason and sense, we should act differently. It would have been simpler for me at the time, as I said before, to broadcast over the telephone; and my point of view was not appreciated by a large part of the population.

COLONEL GRIFFITH JONES: You say you did speak?

WITNESS: I spoke every day over the wireless concenning the air situation.

COLONEL GRIFFITH JONES: You did not make clear the last sentence You said it would have been easier for you. What would have been easier for you?

WITNESS: I want to express that it would have been easy for me to incite the population by way of my wireless broadcasts, but I was afraid that we would not be able to get rid of the ghosts which I might have conjured. This would not have been approved of by the population.

BY DR. LINK:

Q How do you know that?

A Because I received a large amount of correspondence from the population.

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Q We now come to your own so-called directived dated 25 February 1944. Document 154, USA 325. I have a photostat here, and I will show the witness a copy.

WITNESS: May I see the photostat?

BY DR. LINK:

Q Will you please first look at the form of the document. It looks as if it had come over teletype or some other long-distance communication medium. It also contains an accompanying letter -- a letter from Lippstadt. The contents of this letter have nothing to do with this whole affair. It is only interesting because it is signed by a certain Buchamueller and because the long distance spoken message shows a handwritten note by Buchamueller. There seems to be a connection here -- that someone who received this message had transferred it to Buchamueller. Is it correct, what I have said about the exterior form?

A It is quite clear that this was received by a conference switchboard.

COLONEL GRIFFITH JONES: Of what letter are you speaking?

DR. LINK: Of the document itself.

COLONEL GRIFFITH JONES: The document dated 25 February?

DR. LINK: Yes.

BY DR. LINK:

Q So it is not document which you wrote with your own hand, but it is something put down by someone who sat in Lippstadt at the conference switchboard.

COLONEL NEAVE: I didn't quite understand that last question. Will you please repeat it?

DR. LINK: So it is not a directive which was issued by yourself, either in your own handwriting or with your signature -- but with a slip which was written down by a certain Schmitt, seemingly in Lippstadt, of what he has heard over the conference switchboard.

COLONEL NEAVE: What is a conference switchboard?

DR. LINK: Perhaps the witness can explain how this works.

WITNESS: My command post was on the Harkort Mountain. I was connected with the different kreisleiters, among them with Lippstadt, by telephone.

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COLONEL NEAVE: I see.

BY DR. LINK:

Q You know what this telephonic report contains, and it contradicts very sharply that which you have stated your attitude to be. Tell us how this telephonic report originated.

A It happened as follows: Toward the end of February -- it may have been the 25th -- my gau staff office chief submitted to me in the evening the outline of a directive. His name was Stueve, as I mentioned before. It was around twelve o'clock. It was before the arrival of enemy planes. Stueve was exceedingly excited, primarily because of the attack he himself had suffered; and the contents of the outline which he submitted to me contained to a larger extent than is

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written here, an extensive directive to Party and State offices. We then discussed this subject at length. Up to this time, he had always agreed with my point of view. Finally, after all the objections whichI brought forth again and again, he took the directive and cut it. I elimimated everything which concerned the Party. The rest, just shown to you, was left. I initialled the outline at that time, and later on a clean copy was submitted to me. In the meantime, an air attack had taken place. I did not sign the clean copy.

Q Why not?

A Because when I saw it in clear text, certain scruples arose in me. I gave a direct order to my staff office chief, and he did not tell me about anything which had been issued. My scruples were the old ones which returned after I had slipped on this, and then this directive contained an order to the police. In my capacity as Reich Defense Commissar, thepolice were not subordinate to me, and I thought that maybe a new feeling of tension might come about with the SS and the polizei -- quite aside from the fact that I had to be afraid that the attached organs, to which this was to go, would tell me that I did not have the right to give them orders in this sphere.

Q I just noticed that youspoke of a renewal tension with the SS and polizei fuehrers. Did you not have a good relationship with them?

A This is not relevant, and I do not want to wash my dirty linen here.

Q Tell me, did these arguments perhaps pertain to the fact that, as a gauleiter, you were forced to take an opposing position to the measures of the SS?

A Perhaps more in my capacity as Reich Defense Commissar. The higher SS and police fuehrers had a desire to extend their authority, and there were basic differences of opinion regarding the leadership of the police in general. . . for instance, to the question of whether the police were not part of the interior administration.

Q Will you look at the distribution key. You said that you took the outline submitted to you by Stuove which was for the Party sector, transformed it into something pertaining to the Reichs Defense Commission. The distribution key says that the kreisleiters had to be informed. Isn't that in contradiction to your statements up to now?

H1064-0031

A May I call your attention to a mistake in translation. It says (Point One) "to all over-Burgermeisters and polizei." It is not a matter of translation, but an error in reception. It should read "police administration." To the question of the attorney: The directive shows, without any doubt, that this was circulated among the kreisleiters for information only. That was an ever-repeated procedure with us. The Party officers were informed of Reichs laws as far as they were of interest to the Party, and also decrees of this kind. May I point here to the third point of the distribution key. It concerns the krois staff leiter of the German Volkssturme. My gau differed from other gaus. In my gau the Volkssturme merely substituted for the former urban and rural guard.

COLONEL NEAVE: Do we want to go into the Volkssturme here?

DR. LINK: No.

COLONEL NEAVE: He is talking about the distribution, isn't he?

DR. LINK: He wants to explain why the krois staff leiter of the Volkssturme are mentioned in this distribution. He wants to say that the Volkssturme was an organ of the police, and that is why this directive also went to the Kreis staff leiters.

COLONEL NEAVE: I don't think this has anything todo with your case.

BY DR. LINK:

Q If, as you stated, you wanted to issue the directive in your capacity as Reichs Defense Commissar, you did not have for your advisor Mr. Stueve, but rather a Reich Defense Referent. Now I understand that Stueve submitted something to you which he wished to issue for the Party sector -- something which, however, you rejected. I cannot understand why the Reichs Defense Referent was not charged with this matter, or, rather, why he did not get in touch with you.

A I do not understand, either, because an initialed outlined, before it was issued, had to be submitted again to the Reich Defense Commissar by the Reichs Defense Referent.

COLONEL NEAVE: Dr. Link, I don't understand the relevance of all this. Is it relevant whether this matter was referred to Stueve or not? What we are supposed to be hearing is whether or not this gauleiter issued this order, which is contained in the document, and whether the distribution of this order can be said to lie with the highest political leader in the district.

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DR. LINK: Yes, sir; but it seems that this directive has come to the attention of one or several offices, by way of circumstances which have not yet been cleared up, against the will of this witness. It is, for the Defense of the organization of Political Leiters, of decisive importance whether this might be of any influence for the Party sector for the Political Leiters or whether it only went through the channels of the Reichs Defense Commissar. Then this makes no difference to me because it is not the State which is accused, but the Political Leiters -- but I am finished with it now.

COLONEL NEAVE: I think it is an important subject, but I think it has been covered in every possible detail.

BY DR. LINK:

Q You have not satisfied me yet; there is something else I want to know. When the clear copy was referred to you, you refused to sign it. A few hours later you spoke to Stuave and told him it was not to be issued. The competent Reichs Defense Referent did not contact you. How is it possible that this thing was issued over the conference switchboard to any other office?

A Only after my internment was I informed that this directive went out. I had no way in which to find out in what peculiar way this thing went out. In the first place, I did not sign the clear copy. In the second place, I told Stuave it was not to go out, and there was no contradiction. In the third place, my Reichs Defense Referent did not discuss it with me. He certainly would have done so if the directive had been submitted to him. The only possibility is something which I cannot check at this time -- that in one way or another the telephone message went through.

Q You said before that an attack again intervened. Did I understand you correctly?

A Yes. I want to say this in connection with it. Before the planes reach their target the entire apparatus starts to move, and then there is always time to make use of the conference switchboard. It is possible that, when other directives were given over the 'phone, this directive, too, was spoken over the 'phone.

Q But you have no real reason to believe so?

A No.

Q I am leaving these question; I want to ask some other questions. To

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this problem, three or four more questions...

COLONEL NEAVE: I thought you were passing to another point.

DR. LINK: I expressed myself badly. I meant this point: what possible happenings, as to the breakdown of machinery, is concerned.

BY DR. LINK:

Q The fact that this outline of the directive seemed to have gone out over the conference switchboard means that all the addressees mentioned on the distribution key received that message?

A At that time the conference switchboard functioned very badly because the bomb attacks had disturbed the telephone lines. Consequently it could only have been a matter of preliminary orientation. That would have had to be a written confirmation. In any case, it was such that the conference switchboard did not lead to the municipal organs, landrat, Lord Mayor, and police adminstration -- but, as I said before, thekreis command posts. The non-functioning conference switchboard soon could have supplied such information to only part of the kreis area. The internees who represented the German Defense in Paderborn told me that quite a few of the kreisleiters from my former gau were interned there.

COLONEL NEAVE: I don't think he ought to say what another internee told him.

(The Commission adjourned at 1705 hours.)

The foregoing is a true and correct transcript of the testimony of ALBERT HOFFMAN, taken 2 July 1946.

D.J. Noll
Reporter

CERTIFIED TO:

A.M.S. Neave
Commissioner